



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/602,740	06/23/2000	Markus Pompejus	BBI-126CP

**CONFIRMATION NO. 1632**

000959  
LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109 | 07/09/2001 NPRASASD 00000018 09602740

01 FC:104	270.00 OP
02 FC:103	432.00 OP

**FORMALITIES LETTER**



\*OC000000005990084\*

Date Mailed: 04/20/2001

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

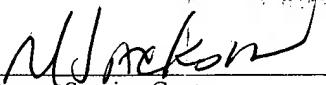
**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1368.
  - \$432 for 24 total claims over 20.
  - \$936 for 12 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2188.**

***A copy of this notice MUST be returned with the reply.***

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Adjustment date: 07/09/2001 NPRASASD  
06/27/2001 NYUSUF1 00000013 09602740  
04 FC:104 -270.00 OP

Adjustment date: 07/09/2001 NPRASASD  
06/27/2001 NYUSUF1 00000013 09602740  
03 FC:103 -702.00 OP

Repln. Ref: 07/09/2001 NPRASASD 0010131100  
DAB:120080 Name/Number:09602740  
FC: 704 \$270.00 CR

06/27/2001	NYUSUF1	00000013	09602740	88888888
01 FC:101	02 FC:102	03 FC:103	04 FC:104	05 FC:105
710.00	960.00	432.00	270.00	130.00



#4

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Markus Pompejus *et al.*

Serial No.: 09/602,740

Filed: June 23, 2000

For: "Corynebacterium glutamicum Genes Encoding  
Proteins Involved in Carbon Matabolism  
and Energy Production"

Attorney Docket No.: BGI-126CP

Group Art Unit: 1652

Examiner: K. Kerr

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 20, 2001

Date of Signature and of Mail Deposit

By:

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505  
Attorney for Applicants

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Dear Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated April 20, 2001, Applicants submit herewith the executed Declaration, Petition and Power of Attorney for Patent Application for the above-identified patent application. A check in the amount of \$2,772.00 is enclosed to cover the total amount owed by Applicants, including \$130.00 surcharge, \$710.00 basic filing fee, \$1,662.00 additional claim fee, and \$270.00 multiple dependent claim fee, based on large entity status. A copy of the Formalities Letter is also enclosed.

Applicants' attorney notes that the claim fee calculation in the Formalities Letter is incorrect. We calculate **39** total claims over 20, and **12** independent claims over 3. The Formalities Letter also omits the \$270.00 multiple dependent claim charge.

The Commissioner is hereby authorized to charge payment of any fees under 37 C.F.R. 1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,



---

Elizabeth A. Hanley, Esq.  
Registration No. 33,505  
Attorney for Applicants

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, MA 02109  
Tel. (617) 227-7400

Dated: June 20, 2001

LAHIVE

&  
COCKFIELD

L L P

O I P E

JUN 25 2001

COUNSELLORS AT LAW  
28 STATE STREET  
BOSTON, MASSACHUSETTS 02109-1784  
TELEPHONE (617) 227-7400  
FAX (617) 742-4214  
lc@lahcoc.com

JOHN A. LAHIVE, JR. (1928-1997)  
THOMAS V. SMURZYNSKI  
RALPH A. LOREN  
GIULIO A. DeCONTI, JR.  
ANN LAMPORT HAMMITTE  
ELIZABETH A. HANLEY  
AMY BAKER MANDRAGOURAS  
ANTHONY A. LAURENTANO  
KEVIN J. CANNING  
JANE E. REMILLARD  
DeANN FORAN SMITH  
PETER C. LAURO  
JEANNE M. DIGIORGIO  
DEBRA J. MILASINIC, Ph.D.  
NICHOLAS P. TRIANO, III  
DAVID J. RIKKERS  
DAVID R. BURNS  
JOHN S. CURRAN

SEAN D. DETWILER  
CYNTHIA L. KANIK, Ph.D.  
MEGAN E. WILLIAMS, Ph.D.  
RICA NAND  
MICHAEL PHILLIPS\*  
LISA M. DIROCCO

SENIOR COUNSEL  
JAMES E. COCKFIELD

OF COUNSEL  
JEREMIAH LYNCH  
WILLIAM A. SCOFIELD, JR.

PATENT AGENTS  
PETER S. STECHER  
THEODORE R. WEST

TECHNICAL SPECIALISTS  
MARIA LACCO TRIPE ZACHARAKIS, Ph.D.\*\*\*  
CYNTHIA M. SOROS  
PETER W. DINI, Ph.D.  
EUIHOON LEE  
JENNIFER K. ROSENFIELD  
JUDITH STONE-HULSLANDER, Ph.D.  
ALLAN TAMESHTIT, Ph.D.  
CATHERINE E. MCPHERSON  
ERIC F. WAGNER, Ph.D.  
SHAHID HASAN, Ph.D.  
ASHITA DOSHI, Ph.D.  
JACOB G. WEINTRAUB

\* Admitted in NY only  
\*\* Passed the Patent Bar Examination

June 20, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/602,740  
Filed: June 23, 2000  
Entitled: Corynebacterium Glutamicum Genes Encoding Proteins  
Involved in Carbon Metabolism and Energy Production  
Inventors: Markus Pompejus *et al.*  
Our Reference: BGI-126CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of Nonprovisional Application (in duplicate);
2. Executed Declaration, Petition and Power of Attorney for Patent Application;
3. Copy of Formalities Letter;
4. Check for \$2,772.00 (including \$710 filing fee, \$1,662 extra claim fee, \$270 multiple dependent claim fee, and \$130 surcharge); and
6. Acknowledgement postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Missing Parts, Washington, DC 20231 on:

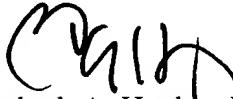
June 20, 2001

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

  
Elizabeth A. Hanley, Esq.  
Reg. No. 33,505